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7 UNITED STATES DISTRICT COURT

8 NORTHERN DISTRICT OF CALIFORNIA

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10 CLARKE and REBECCA WIXON,)

11 Plaintiff(s),)

) No. C 07-2361 JSW (BZ)

12 v.)

) ORDER SHORTENING TIME

13 WYNDHAM RESORT DEVELOPMENT)

14 CORP., et al.,)

15 Defendant(s).)

_____)

16 In opposition to plaintiffs' motion for leave to take the
17 deposition of the objector-appellants, their counsel has filed
18 a declaration which is largely devoted to the underlying issue
19 of whether depositions should be taken.¹ The opposition to
20 shortening time is premised chiefly on the facts that
21 plaintiffs have known the identity of the objectors for some
22 months and at least one of the objectors is out-of-town.
23 Neither of these facts persuade me that time should not be
24 shortened. As I understand the moving papers, the need to
25 take these depositions did not surface until the notice of
26 appeal was filed and there is no suggestion that the out-of-

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1 Inasmuch as Judge White has only referred the discovery motion to me under Civil L.R. 72-1, there is no need for consent to magistrate judge jurisdiction.

1 town objector would somehow be involved in briefing the
2 discovery motion. **IT IS THEREFORE ORDERED** that plaintiff's
3 motion to shorten time is **GRANTED**. **IT IS FURTHER ORDERED** that
4 if objectors wish to file anything further in opposition to
5 the motion, they shall do so by **Monday, September 19, 2011**.
6 Any reply shall be filed by **Wednesday, September 21, 2011**.
7 I will schedule a hearing if I determine that one is
8 necessary.

9 Dated: September 14, 2011

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11 
12 Bernard Zimmerman
United States Magistrate Judge

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